

Appendix D

**Copies of all Written Comments Received
Charlotte Pipe & Foundry Company, Inc.
Title V Permit Renewal
Draft Permit No. 19-01V-626**

June 21, 2019

Request for Public Hearing

Written Comments Received at May 8th Public Hearing

Calvin Cupini, Clean Air Carolina
Mary Ann Lawler and Residents of the Trademark Condominiums
Jeffrey Dunbar, Wilmore Neighborhood Association
Steve Weber, Charlotte Pipe and Foundry
Adam Burg, Wilmore resident
Joseph Williams, Wilmore resident

Written Comments Received Post-Hearing

Deanna Bridgwood, Wilmore resident
Elizabeth Slaton, Wilmore resident
Nicholas Meegan, Wilmore resident
Gemma Logan, Wilmore resident
Andrea Glassberg, Wilmore resident
Sarah Mulac, Wilmore resident

Request for Public Hearing

MCAQ received the following Request for Public Hearing letter on March 12, 2019:



March 12, 2019

RE: DRAFT Permit No. 19-01V-626 for Charlotte Pipe & Foundry Company, Inc.

Leslie H. Rhodes
Director, Mecklenburg County Air Quality
2145 Suttle Avenue
Charlotte, NC 28208-5237

Dear Ms. Rhodes,

Clean Air Carolina, a statewide organization of educators, health professionals, scientists and clean air advocates dedicated to the protection of human health and the environment in North Carolina is writing to request a public hearing with regard to DRAFT Permit No. 19-01V-626 for Charlotte Pipe & Foundry Company, Inc. As a statewide organization focused on preserving and improving the air quality of North Carolina, we take a specific interest in emissions from Title V permitted facilities.

The Charlotte Pipe and Foundry facility, generally located between the neighborhoods of Wilmore and Wesley Heights, is the largest single point source of emissions in the area. Adjacent neighborhoods represent environmental justice concerns and are part of Mecklenburg County's Public Health Priority Area¹ due to social determinants of health and proximity to other sources such as roadways. The communities surrounding the Charlotte Pipe and Foundry facility have expressed a great deal of concern to us about the Foundry's emissions and their impact on public health. For these reasons we feel a public hearing is warranted so that the local community is able to express their concerns about the renewal of this draft permit.

Exposure to VOCs such as benzene, formaldehyde, and toluene, has been shown to cause eye, nose and throat irritation; headaches, loss of coordination and nausea; damage to the liver, kidneys and central nervous system; and some have been shown to be carcinogenic². VOCs

¹ 2017-2018 Mecklenburg County Community Health Assessment. Mecklenburg County.
<https://www.mecknc.gov/HealthDepartment/HealthStatistics/Documents/2017%20Mecklenburg%20CHA%20with%20Appendix%20March%208.pdf>

² US EPA. (2017). Volatile Organic Compounds' Impact on Indoor Air Quality. Retrieved October 24, 2018, from
https://www.epa.gov/indoor-air-quality-iaq/volatile-organic-compounds-impact-indoor-air-quality#Health_Effects



Your advocates for healthy air

can be found in paint, varnishes, finishes, caulks, sealants, adhesives, flooring, carpet, and pressed wood products³.

PAHs are a group of chemicals that are formed during the incomplete burning of coal, oil, gas, wood, garbage and other organic substances⁴. Exposure to PAHs has been shown to cause DNA modifications leading to mutagenicity and carcinogenicity, decreased fertility, birth defects, decreased body weight, immunosuppression⁵.

The individual and combined health effects of these pollutants can have a substantial impact on the health of exposed communities. The proposed draft permit for Charlotte Pipe and Foundry allows for these pollutants thus exposing the surrounding communities to considerable risk for adverse health effects.

With this in mind, Clean Air Carolina would like to formally request a public hearing by Mecklenburg County Air Quality regarding DRAFT Permit No. 19-01V-626 for Charlotte Pipe & Foundry Company, Inc. in order for the public to express their concerns. Thank you for considering this request.

Sincerely,

Calvin A. Cupini

A handwritten signature in black ink, appearing to read "Calvin A. Cupini", is written over a horizontal line.

Program Manager
Clean Air Carolina

³ American Lung Association. (2018). Volatile Organic Compounds. Retrieved October 24, 2018, from <https://www.lung.org/our-initiatives/healthy-air/indoor/indoor-air-pollutants/volatile-organic-compounds.html>

⁴ ATSDR. (1995). Public Health Statement: Polycyclic Aromatic Hydrocarbons (PAHs). Retrieved October 24, 2018, from <https://www.atsdr.cdc.gov/phs/phs.asp?id=120&tid=25>

⁵ Hyunok Choi, Roy Harrison, Hannu Komulainen, and J. M. D. S. (2010). Polycyclic aromatic hydrocarbons. In WHO Guidelines for Indoor Air Quality: Selected Pollutants. Geneva: World Health Organization. Retrieved from <https://www.ncbi.nlm.nih.gov/books/NBK138709/>

Written Comments Received at May 8th Public Hearing

Calvin Cupini, Clean Air Carolina (comments received May 8, 2019):

Charlotte Pipe and Foundry Public Comments
May 8 public hearing on Title V Permit renewal

May 8, 2019

Good evening ladies and gentlemen of Mecklenburg County Air Quality,

My name is Calvin Cupini, I'm the program manager for the AirKeepers of Clean Air Carolina, a statewide 501(c)(3) non-profit whose mission is to protect and improve air quality in North Carolina. I present this evening to represent the AirKeepers and members of our organization here in Mecklenburg.

I am writing to express concern for the renewal of the Title V Permit for Charlotte Pipe and Foundry for inconsistency with stipulations outlined in MCAPCO Section 1.5500 - "Title V Procedures" and MCAPCO Regulation 1.5513 - "Permit Renewal and Expiration."

The Charlotte Pipe and Foundry has been one of the largest emitters in the county's history, and is now more than ever, a close and unpleasant neighbor to communities across Charlotte, especially on the west side. Historically, Charlotte's north and west side have been populated by minority and low income communities, who to fault of their own, share a disproportionate burden of environmental hazards and air quality concerns. This region is specified by Mecklenburg County as a public health priority area, due to social determinants of health impacting the community's outcomes and affecting their quality of life. The Charlotte Pipe and Foundry is one of the largest contributors to air pollution, and represents an actionable nuisance to the community at large.

MCAPCO 12/18 1.5109 NUISANCE No person shall cause, suffer, allow, or permit the discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any number of persons or to the public or which endanger the comfort, repose, health, or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property.

"Nuisance". The source shall not discharge any air contaminants or other material to cause injury, detriment, nuisance, annoyance, or endanger the comfort, repose, health or safety of the public or property

The Foundry has a long history of odor complaints which have been lobbied by the community, over 240 have been recorded by Mecklenburg County LUESA in their Action Item database. These complaints come from variety of neighborhoods, and callers. Some of these complaints go without investigation by staff, others are lumped together. The ordinance states that odor control procedures and equipment must be in place. However, since the start of 2017 there have been over 100 new complaints about odor. This is clear evidence that the control requirements are not sufficient to prevent odorous emissions from creating an actionable nuisance in the community.

1.5109 NUISANCE (e) Control Requirements. The owner or operator of a facility subject to this Regulation shall not operate the facility without implementing management practices or installing and operating odor control equipment sufficient to prevent odorous emissions from the facility from causing or contributing to objectionable odors beyond the facility's boundary.

One of the major components of the permit includes particulate matter emissions (PM). Residents in the nearby community have installed PM sensors at their homes across the street from the facility as part of a city wide PM sensor network and have noticed multiple instances of readings higher than identical sensors stationed around the rest of the city. Until recent developments in widely adopted low cost PM sensors, odor would have been the only actionable complaint a community member could report. The residents assert that this constitutes the best possible substantive complaint for actionable nuisance due to fugitive PM emissions.

MCAPCO Regulation 2.0540 - "Particulates from Fugitive Dust Emission Sources", the permittee shall not cause or allow fugitive dust emissions to cause or contribute to substantive complaints.

According to county ordinance, permits can be revoked or modified if there has been changes to conditions such as "changes in surrounding land use, affected population or relevant documented advances in scientific, medical or technical knowledge." There is endless development and growth in the areas around the facility, including new homes, businesses and places of work. West Charlotte, and surrounding neighborhoods, are no longer remote industrial corridors, but rather home to many Mecklenburg residents. The aforementioned Mecklenburg County health reports for 2018 have shown the area to be of public health priority, and understanding of the health impacts of VOC's, PM, and many other substances included in the permit have moved forward dramatically since the first issuance of this permit. Below are also notifications of violation, pursuant to section (3) stating grounds for the revoke or modification of the permit. Thus, this represents a requirement by county ordinance to address MCAPCO 1.5232 with regards to this "air quality permit."

MCAPCO 1.5232 ISSUANCE, REVOCATION, AND ENFORCEMENT OF PERMITS (a) Any permit issued pursuant to MCAPCO Sections 1.5200 - "Air Quality Permits" or 1.5600 - "Transportation Facility Procedures" may be revoked or modified if: (1) the information contained in the application for such permit or presented in support thereof is determined to be incorrect; (2) the regulations or conditions under which the permit or renewal thereof, was granted have changed including but not limited to changes in surrounding land use, affected population or relevant documented advances in scientific, medical or technical knowledge; (3) violations of conditions contained in the permit have occurred;

Violation	Summary	Date Issued	Action Required By	Date Closed	
2003-AQ-11627-1	Permit Condition E-2 Title V permit 19-98V-626 Phenol emissions not less than .84 lbs/he instead 1.35 1.43 lbs/hr (source test)	Exceed phenol permit limit determined during earlier modeling			7/31/2003
2004-AQ-14249-1	MCAPCO 1.5211/2.0531 Sources in Nonattainment Areas	NOV/Assess Installation/Operate no permit	8/31/2004	8/31/2004	10/12/2004
2005-AQ-16298-1	TV permit violation TV Compliance Cert. Did not include NOV/assessment in report	TV Compliance Cert. Did not include NOV/assessment in report	7/12/2005	7/25/2005	7/26/2005
2007-AQ-20451-1	During a review of Charlotte Pipe & Foundry's 5/30/2007	Charlotte Pipe & Foundry Co., Inc. - 5/30/07 stack test	11/1/2007	11/30/2007	1/7/2008

	& 7/24-7/25, 2007 stack test reports, it was discovered that phenol emissions exceed the modeled permit limits found in Permit No. 04-02V-626 Condition E-2 and Permit No. 07-02C-626 Condition S-	phenol emission rate exceeds TAP permit limit			
2009-AQ-24440-1	Charlotte Pipe & Foundry Company, Inc. failed to submit a timely Notification of Compliance Status Report as required by MCAPCO Regulation 2.1111 - "Maximum Achievable Control Technology" which refers to 40 CFR 63 Subpart ZZZZZ - "National Emission S	Late submittal of MACT Subpart ZZZZZ NOCS - violation of MCAPCO 2.1111	6/10/2009	6/10/2009	6/11/2009
2009-AQ-25072-1	Charlotte Pipe & Foundry Company, Inc. failed to submit a timely Semiannual Compliance Report as required by MCAPCO Regulation 2.1111 - "Maximum Achievable Control Technology" which refers to 40 CFR 63 Subpart ZZZZZ - "National Emission Standards for	Failure to submit timely MACT Subpart ZZZZZ semiannual compliance report	10/2/2009	10/15/2009	12/7/2009

The growth and change of the city of Charlotte and Mecklenburg County has been rapid. The communities in the west side of the city have endured a consistent actionable nuisance, however. While no resident seeks to impede the prosperity of a local business, especially not one as historic as the Pipe and Foundry, it is time to address the actionable nuisance the facility exhibits and decline to renew its Title V permit in its current state to protect the fair and equitable well being of the residents nearby.

Thank you for your consideration,

Calvin A. Cupini
Program Manager
Clean Air Carolina

Mary Ann Lawler and Residents of the Trademark Condominiums (comments received May 8, 2019):

May 8, 2019

Lawler

Mecklenburg County Air Quality Commission
2145 Suttle Ave.
Charlotte NC 28208

Thank you for the opportunity to testify on the Renewal of the Air Quality Permit for Charlotte Pipe & Foundry Company, Inc.

Our condominium, the Trademark, at 333 W Trade St. is affected by the emissions from the Charlotte Pipe and Foundry Company, Inc. Our building manager has reported odors to the county several times. For many years we have experienced smokey or sulfury odors which have been attributed by many to the foundry. These usually occur in the morning. Our rooftop AON heating/cooling units pick up the odor and distribute it thru the hallway vents. We have had numerous reports internally of smoke-like or sulfur-like odors in the building. We are very concerned about emissions of Nitrogen Oxides. They damage lung tissue. This permit allows some of those emissions to continue although limited per calendar day during certain seasons. We would like them eliminated altogether.

We also strongly support the proposal by Clean Air Carolina for Charlotte Pipe and Foundry to be a good neighbor and invest in the communities that have breathed harmful emissions for decades. To do this, we urge the company to negotiate a Community Benefits Agreement with local residents, detailing public commitments by Charlotte Pipe and Foundry to help the communities, stakeholders, and others affected by their facility.

Mary Ann Lawler and Neal Sigmon

Mary Ann Lawler and Neal Sigmon
333 West Trade St. Unit 2204
Charlotte, NC 28202

Mark Abrams
Mark Abrams
333 West Trade St. Unit 700
Charlotte NC 28202

Tiffani D. Lewis
Tiffani D. Lewis
333 W. Trade St. Unit 804
Charlotte, NC 28202

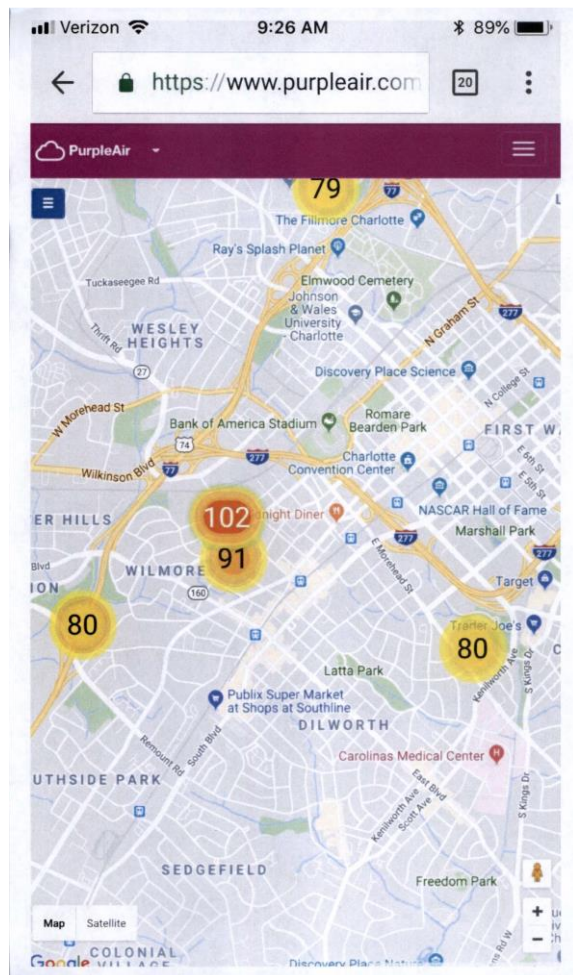
Ross C Loeser
Susan E Loeser

Ross and Susan Loeser
333 W Trade St, Unit 704
Charlotte, NC 28202

Jeff McCraw
Jeff McCraw
333 W Trade St #807
Charlotte NC 28202

Karyn O'Donnell
Karyn O'Donnell
333 W Trade St Unit 1504
Charlotte, NC 28202

Jeffrey Dunbar, Wilmore Neighborhood Association (comments received May 8, 2019):



Steve Weber, Charlotte Pipe and Foundry (comments received May 8, 2019):

Weber

CHARLOTTE
PIPE AND FOUNDRY COMPANY

Charlotte Pipe and Foundry Company Public Hearing Statement
May 8, 2019

Good evening Mr. Chairman and County Staff. My name is Steve Weber. I am here on behalf of the Applicant Charlotte Pipe and Foundry Company. We appreciate County Staff who organized the hearing this evening. We also appreciate County Staff giving this community the opportunity to learn more about the air permitting process, and to provide comments on Charlotte Pipe's air permit application and draft permit.

County Staff already posted information on its website regarding Charlotte Pipe's air permit application and the draft air permit, so I will not spend time going over those items. We wanted to take a few minutes to introduce ourselves and provide a few additional comments.

A few words of background – Charlotte Pipe is headquartered here in Charlotte and has seven facility locations across the United States. Charlotte Pipe is the nation's leading producer of cast iron and plastic pipe and fittings for plumbing applications. Charlotte Pipe has been in continuous operation here in Charlotte since 1901. Currently, Charlotte Pipe has a total of approximately 1,500 employees in all its Divisions. Each year, Charlotte Pipe makes significant contributions to the Charlotte community through payroll and charitable contributions.

1

Charlotte Pipe's charitable giving arm, the Dowd Foundation, donates approximately \$3 to \$3.5 million each year to educational, human services and arts-related organizations in Mecklenburg County and other surrounding counties.

Charlotte Pipe is applying to renew its existing air permit that was first issued by the County many years ago. Federal and local law require all industries with existing air permits to renew those permits every five years. Charlotte Pipe submitted an application to renew its air permit to Mecklenburg County Air Quality last summer. Mecklenburg County Air Quality reviewed Charlotte Pipe's application and made two determinations: (1) that the application is complete (meaning that it contains all the necessary information); and (2) that the application complies with federal and local air quality statutes and regulations that apply to the facility. Charlotte Pipe is pleased that Mecklenburg County has made these determinations and looks forward to completing the application process.

Again, we appreciate Mecklenburg County Air Quality's work reviewing Charlotte Pipe's application and preparing a draft permit. We also have appreciated the opportunity to participate in this public hearing.

Thank you.

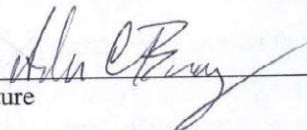
Adam Burg, Wilmore resident (comments received May 8, 2019):

Comments:

As testament to what those who have spoken before me
Carolina Clean Air Initiative, Clean Air Council, NAACP-Green Grant Coalition
- 333 W. Trade St, Wilmore

- odor a sediment - monthly for the last 6 years
- we have been told the whatever "parameters" or "requirements" set forth
by EPA - CDF meets - my question is how do we know those parameters
are enough? At what point do we revisit those guidelines taking into
account what we heard tonight?

Signature



Joseph Williams, Wilmore resident, (comments received May 8, 2019):

Comments:

As a ^{concerned} resident of Wilmore and the father of two young children I have deep concerns over the current operations of Charlotte Pipe. These concerns are due to the numerous days of smelling and feeling the effects of odor from the direction of the pipe foundry. This odor has resulted in numerous calls to Meck Air Quality to file a complaint. Additionally, owning a white car I have first hand seen the accumulation of particulates slowly turning my car grey. I encourage Charlotte Pipe to be a better neighbor and do more to reduce its impact on the neighboring communities.

Signature

Written Comments Received Post-Hearing

Deanna Bridgwood, Wilmore resident (comments received May 10, 2019):

From: Deanna Bridgwood <cosmopet1969@gmail.com>

Sent: Friday, May 10, 2019 8:55 AM

To: Rhodes, Leslie <Leslie.Rhodes@mecklenburgcountync.gov>

Subject: [External]Charlotte Pipe and Foundry

To whom it may concern,

I wanted to submit my comments at the meeting last night, but I was unable to attend. I have been a resident of Wilmore since 2005. We have had issues off and on throughout the years with the Charlotte Pipe and Foundry and the noxious odors that The Foundry is emitting. I've spoken with other neighbors who live closer to The Foundry and the Airborne particulates from The Foundry have actually stripped the paint off of their cars. I have spoken with other people concerning this, mainly Lawana Mayfield our city council person. Her response was that the Foundry employs 200 people. I don't believe jobs should supersede the health of our community. People in our neighborhood are extremely concerned about the emissions of The Foundry, we believe it may be leading to health issues and environmental problems. I would like a full environmental emissions test on The Foundry to see what kind of toxic emissions are going into our neighborhood. The findings of that test should be made public after it has been done. Hopefully, people in Wilmore and the surrounding area will not be put at risk from the toxic emissions of Charlotte Pipe and Foundry much longer. Thank you

Elizabeth Slaton, Wilmore resident (comments received May 10, 2019):

From: Elizabeth Slaton <ebslaton@gmail.com>
Sent: Friday, May 10, 2019 9:20 AM
To: Rhodes, Leslie <Leslie.Rhodes@mecklenburgcountync.gov>
Subject: [External]Charlotte Pipe and Foundry Public Hearing

To whom it may concern,

I wanted to submit my comments at the meeting last night but I was unable to attend. I have been a homeowner and resident of Wilmore since 2018. People in our neighborhood are extremely concerned about the emissions of The Foundry and are wondering if this is leading to health and environmental issues within our neighborhood and surrounding neighborhoods. Given the close proximity that The Foundry is to Uptown and Southend which seem to be some, if not the most, people populated areas of Charlotte, I wonder how many people are being affected daily by The Foundry and do not even know about the health concerns out there. Hopefully, people in Wilmore and the surrounding area will not be put at risk from the toxic emissions of Charlotte Pipe and Foundry much longer. Thank you

Nicholas Meegan, Wilmore resident (comments received May 10, 2019):

From: Nicholas Meegan <nick.meegan@kingstontrans.com>
Sent: Friday, May 10, 2019 11:38 AM
To: Rhodes, Leslie <Leslie.Rhodes@mecklenburgcountync.gov>
Subject: [External]Foundry

To whom it may concern,

I wanted to submit my comments at the meeting last night, but I was unable to attend. I have been a resident of Wilmore since 2006. We have had issues off and on throughout the years with the Charlotte Pipe and Foundry and the noxious odors that The Foundry is emitting. I've spoken with other neighbors who live closer to The Foundry and the Airborne particulates from The Foundry have actually stripped the paint off of their cars. I have spoken with other people concerning this, mainly Lawana Mayfield our city council person. Her response was that the Foundry employs 200 people. I don't believe jobs should supersede the health of our community, not to mention the health of the people working there! People in our neighborhood are extremely concerned about the emissions of The Foundry, we believe it may be leading to health issues and environmental problems. I would like a full environmental emissions test on The Foundry to see what kind of toxic emissions are going into our neighborhood. The findings of that test should be made public after it has been done. Hopefully, people in Wilmore and the surrounding area will not be put at risk from the toxic emissions of Charlotte Pipe and Foundry much longer.

Thank you

Gemma Logan, Wilmore resident (comments received May 10, 2019):

From: Gemma Logan <glogan@SMICorporate.com>
Sent: Friday, May 10, 2019 11:39 AM
To: Rhodes, Leslie <Leslie.Rhodes@mecklenburgcountync.gov>
Subject: [External]Charlotte Pipe and Foundry Public Hearing

To Whom it may Concern,

I wanted to submit my comments at the meeting last night, but I was unable to atten. I've been a resident of Wilmore since 2017. We have had issues off and on throughout the years with tge Charlotte Pipe and Foundry and the noxious odors that The Foundry is emitting. I've spoken with other neighbors who live closer to The Foundry and the

Airborne particulates from The Foundry have actually stripped the paint off of their cars. I have spoken with other people concerning this, mainly Lawana Mayfield our city council person. Her response was that the Foundry employs 200 people. I don't believe jobs should supersede the health of our community. People in our neighborhood are extremely concerned about the emissions of the Foundry, we believe it may be leading to health issues and environmental problems. I would like a full environmental emissions test on the Foundry to see what kind of toxic emissions are going into our neighborhood. The findings of that test should be made public after it has been done. Hopefully, people in Wilmore and the surrounding area will not be put at risk from the toxic emissions of Charlotte Pipe and Foundry much longer. Thank you.

Andrea Glassberg, Wilmore resident (comments received May 10, 2019)::

From: Andrea Glassberg <andreav_33@yahoo.com>
Sent: Friday, May 10, 2019 12:07 PM
To: Rhodes, Leslie <Leslie.Rhodes@mecklenburgcountync.gov>
Cc: Josh Glassberg <glassbj@gmail.com>
Subject: [External]Charlotte Pipe and Foundry

I am writing to express how my home and quality of life is affected by the smells from Charlotte Pipe and Foundry. I live at 316 W Park Ave and quite often it smells so terrible I do not want to be outside. When I smell the Foundry, I do not want to sit in my yard, enjoy my porch, walk my dogs. I have submitted many complaints to Air Quality, but many times I have not complained because I'm not sure how useful it is. Please consider the citizens in Wilmore, Wesley Heights, and Dilworth when considering renewing the permit. Thank you.

Sarah Mulac, Wilmore resident (comments received May 10, 2019):

From: Sarah Mulac <sarahmaemulac@gmail.com>
Sent: Friday, May 10, 2019 12:09 PM
To: Rhodes, Leslie <Leslie.Rhodes@mecklenburgcountync.gov>
Subject: [External]Charlotte Pipe Foundry

Good Afternoon,

I saw that I can submit an email for a complaint from the Charlotte Pipe Foundry located next to Wilmore neighborhood. I think that it is great business and employment opportunities for our community, however it stinks up the entire neighborhood. Nearly every morning I walk outside to my car and it smells like there is some kind of burning chemical leak (almost like burning wires). It makes me worried that one day it could be my house making that smell and I may not notice because the smell is THAT pungent. It usually fades during the day, but it definitely does not seem healthy. It burns to inhale some days when it is really strong, just depends which way the wind is blowing. I would like to see them have a better handle of the chemicals they are releasing into the air that the community is breathing in.

Please let me know if you have any questions.